

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: K-H. Bozung, et al. Examiner: Edward J. Webman

Serial No.: 10/608,753 Group Art Unit: 1616

Filed: June 27, 2003 Docket: 1/1088-3-C2

Customer No.: 28501 Confirmation No.: 7182

For: MEDICAMENT COMPOSITIONS CONTAINING ANTICHOLINERGICALLY-EFFECTIVE COMPOUNDS AND BETAMIMETICS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO RESTRICTION REQUIREMENT

Sir:

This Reply is in response to the July 25, 2006 Office Action issued in the above-identified application. In that Office Action, a one-month shortened statutory period was set for response on or before August 25, 2006. Thus, this Reply is timely filed. If it is determined that any additional fees under 37 C.F.R. §§ 1.16 or 1.17 are due in connection with this Reply, the Director is hereby authorized to charge such fees to Deposit Account No. 02-2955.

In the Office Action, the Examiner imposed a two-way restriction in the present application under 35 U.S.C. §121:

- I. Claims 1-10, drawn to a composition with a method of making, classified in class 424, subclass 43; and
- II. Claims 11-14, drawn to a method of using, classified in class 514, subclass 229.5.

In response to the restriction requirement, applicants elect, without traverse, the subject matter of Group I (claims 1-10) for substantive examination on the merits. Applicants make this election expressly without waiver of their right to file for and obtain

claims directed to the non-elected subject matter in divisional or continuing applications claiming priority and benefit herefrom, or from a related application, under 35 U.S.C. § 120.

Applicants also reserve the right to rejoin method claims 11-14, where the product claims are found allowable by the Examiner and the withdrawn method claims depend from or otherwise include all the limitations of the allowable product claims. Therefore, applicants will amend the withdrawn method claims 11-14 in order to maintain dependency on the product claims or to otherwise include the limitations of the product claims during prosecution.

Applicants also respectfully submit that all the pending claims are allowable and therefore solicit a Notice of Allowance for all of the pending claims. If the Examiner feels that a telephone interview would be helpful in advancing prosecution of this application, the Examiner is invited to contact the attorney below.

Respectfully submitted,

/wendy petka/

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